

# **SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE**

## **Minutes for**

### **COMMISSION MEETING**

10:30 a.m., March 17, 2017

**Location:** Conference Room, SC Commission on Indigent Defense, 1330 Lady Street, Columbia, SC

**Members Present:** Harry Dest, Hon. Edward Cottingham, Billy Epps, Jack Howle, Sen. Gerald Malloy, Yvonne Murray-Boyles, John Nichols, Ashley Pennington, Ashlin Potterfield, Hon. Duane Shuler, Doug Strickler, Walker Willcox,

**Members Absent:** Rep. Murrell Smith,

**Staff Present:** Hugh Ryan, Hervey Young, Lawrence Brown, Lori Frost, Rodney Grizzle, Bob Dudek

There being a quorum, the Chair called the meeting to order.

**Approval of Minutes:** A motion was made to approve the minutes of the meeting of December 9, 2016 and the special meeting of January 11, 2017. That motion was seconded and passed by unanimous vote.

**Future Meeting Dates:** May 12 and May 19, 2017 were set tentatively as possible dates for the next meeting, with the Director to make a final determination.

**Introduction of new Deputy Director/General Counsel :** Director Ryan introduced Hervey Young as the new Deputy Director and General Counsel for the Commission. Mr. Young most recently served as Circuit Public Defender for the 10<sup>th</sup> Judicial Circuit. Mr. Young was congratulated and welcomed by the Commission.

**Legislative Issues (Indigency Screening):** Director Ryan discussed the status of the Municipal Proviso and Indigency Screening, including a bill (H. 3333) to audit SCCID and the public defender offices, a new proviso (117.142) to direct the Commission on Indigent Defense and the Judicial Department (Court Administration Program) to consult with the Summary Court Judges' Association and Clerks of Court Association on screening indigent defense applications, with the Commission on Indigent Defense and Court Administration to make recommendations to the Chairmen of the House Ways and Means, House Judiciary, Senate Finance and Senate Judiciary Committees no later than December 1, 2017, regarding the applicant screening process. Also discussed was bill (S. 409) to change collection of the \$40 application fee from the clerk of court offices to the public defender offices.

**Public Defender Training Update:** Mr. Brown informed the Commission that Public Defense 102 was held March 6, 7, and 8 in Columbia with over 40 participants and was very successful and well-reviewed by participants. He also informed the Commission that Public Defense 103 was scheduled for May 1, 2, and 3 in Greenville and that the first program of the new Juvenile Defender Training program in conjunction with the Children's Law Center was scheduled for April 7 in Columbia.

**Investigator Conference:** Director Ryan informed the Commission that the SC Public Defender Investigator Association Conference was scheduled for March 23 and 24 in Myrtle Beach.

**Statements of Economic Interest:** Director Ryan reminded the Commission that Statements of Economic Interest were required to be filed online by March 30.

**Rule 608 Contracts:** Director Ryan informed the Commission that notice for contract applications had been sent out, that Deputy Director Young and Assistant Director Frost would be assisting in the selection process. Director Ryan also noted that the contract program has functioned well, been successful in its goals, and been well received by judges and attorneys. Mr. Pennington raised the possibility of extending training opportunities for contract attorneys through the Public Defender Conference and/or the PD 101, 102, 103 programs.

**Charleston School of Law Extern Program:** Mr. Young distributed a brochure for the Charleston School of Law Extern Program, which outlined the program as an opportunity for law students to learn about the practice of criminal defense in community-based settings through public defender offices in 28 rural counties across South Carolina. He informed the Commission that he would be going to Charleston that afternoon to present the program to students and discuss it with them. Students will not be paid, but will receive course credit. The program was scheduled to begin March 31 and run for at least six weeks until the student had 160 hours of work which would qualify for 3 hours of course credit.

**New Business:** Mr. Nichols provided the Commission with an update on the Brooks legal matter.

There being no further business, a motion to adjourn was made, seconded and passed.

Respectfully submitted,

Lawrence Brown  
Deputy General Counsel